

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NO. 13-CR-10262-DPW

UNITED STATES

v.

MICHAEL P. O'DONNELL,
Defendant

**MOTION TO CONTINUE SENTENCING DATE
AND TO ADJUST FILING DATES ACCORDINGLY**

Pursuant to Fed. R. Crim. Proc. 47, and Local Rule 40.3, the defendant Michael P. O'Donnell, by his counsel, moves the Court for an order continuing the date for his sentencing hearing from October 20, 2015 for a period of at least sixty days to a date that is convenient to the Court. The defendant further moves that the Court adjust the dates for filing objections, memoranda, and for final disclosure of the Presentence Report accordingly. In support of this motion, the defendant states:

1. The defendant has retained attorney Charles W. Rankin of the firm of Rankin & Sultan to represent him for sentencing. Mr. Rankin has entered his appearance on this date.
2. Mr. Rankin has requested the file from predecessor counsel, and needs the requested time to review the file and prepare for sentencing.
3. The Probation Officer, Tricia Marcy, has informed counsel that she does not object to postponement of the sentencing in light of new counsel's appearance. From a preliminary review of the initial Presentence Report, it appears that there will be disputes about the

calculation of the amount of loss, based upon relevant conduct.

4. Counsel also notes that the Sentencing Commission has proposed amendments to the Sentencing Guidelines that, among other things, change the loss table in USSG § 2B1.1, and may lower the Guideline Sentencing Range, unless they are rejected by Congress before the effective date of November 1, 2015.
5. Assistant U.S. Attorney Mark Balthazard has stated that the Government does not oppose this motion.

Respectfully submitted
The defendant Michael P. O'Donnell
By his attorney

/s/ Charles W. Rankin

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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the Electronic Filing System (CM/ECF) will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-participants on October 1, 2015.

/s/ Charles W. Rankin

Charles W. Rankin